

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

**HEIDI L. MICHER,**

**Plaintiff,**

**v.**

**Case No: 6:19-cv-1779-Orl-37DCI**

**LISA A. HUPFER,**

**Defendant.**

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**REPORT AND RECOMMENDATION**

Plaintiff Lincoln Benefit Life Company (Lincoln Benefit) brought this interpleader action to determine the proper beneficiary of a disputed portion of the proceeds from the life insurance policy of decedent Gregory E. Micher. Doc. 1. The Court entered an Order pursuant to Federal Rule of Civil Procedure 67 allowing Lincoln Benefit—which has since been discharged from this case—to deposit the proceeds at issue with the Court. Docs. 19; 30. Those proceeds were deposited. Doc. 23. The remaining parties filed a Joint Motion for Entry of an Order Disbursing Funds Held in the Court Registry and Notice of Settlement. Doc. 41 (the Joint Motion). The parties inform the Court that the case has settled and request—pursuant to Rule 67 and 28 U.S.C. § 2042—disbursal of the deposited funds from the Court registry to The David Chico Law Group Trust Account—the trust account of Plaintiff’s counsel. *Id.*

Upon due consideration, it is recommended that the Joint Motion (Doc. 41) be **GRANTED** and that the funds deposited in this case (\$200,476.71, plus any and all accrued interest on those funds) be withdrawn from the Court registry and disbursed via one check made payable to the trust account of The David Chico Law Group, mailed to 607 Celebration Ave. Celebration, FL 34747. Thereafter, the Clerk should be directed to close the case pursuant to a 60-day order.

### **NOTICE TO PARTIES**

A party has fourteen days from this date to file written objections to the Report and Recommendation's factual findings and legal conclusions. A party's failure to file written objections waives that party's right to challenge on appeal any unobjected-to factual finding or legal conclusion the district judge adopts from the Report and Recommendation. *See* 11th Cir. R. 3-1.

Recommended in Orlando, Florida on October 14, 2020.

  
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DANIEL C. IRICK  
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Presiding District Judge  
Counsel of Record  
Unrepresented Party  
Courtroom Deputy